

CHAPTER 705

SOLICITATION

705.1 Solicitation.

705.2 Renunciation.

705.1 Solicitation.

Any person who commands, entreats, or otherwise attempts to persuade another to commit a particular felony or aggravated misdemeanor, with the intent that such act be done and under circumstances which corroborates that intent by clear and convincing evidence, solicits such other to commit that felony or aggravated misdemeanor. One who solicits another to commit a felony of any class commits a class “D” felony. One who solicits another to commit an aggravated misdemeanor commits an aggravated misdemeanor.

[C79, 81, §705.1]

705.2 Renunciation.

It is a defense to a prosecution for solicitation that the defendant, after soliciting another person to commit a felony or aggravated misdemeanor, persuaded the person not to do so or otherwise prevented the commission of the offense, under circumstances manifesting a complete and voluntary renunciation of the defendant’s criminal intent. A renunciation is not “*voluntary and complete*” if it is motivated in whole or in part by (a) the person’s belief that circumstances exist which increase the possibility of detection or apprehension of the defendant or another or which make more difficult the consummation of the offense or (b) the person’s decision to postpone the offense until another time or to substitute another victim or another but similar objective.

[C79, 81, §705.2]